

IN THE UNITED STATES DISTRICT COURT  
IN AND FOR THE DISTRICT OF DELAWARE

JIMMIE LEWIS

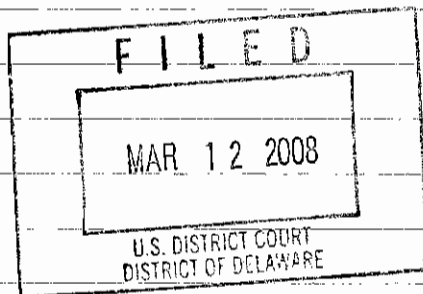
VS.

CA NO. 06-778 (GMS)

THOMAS CARROLL, ET AL.

AMENDED MOTION FOR PRELIMINARY  
INJUNCTION #2, PURSUANT TO  
FEDERAL RULES OF CIVIL PROCEDURE  
# 65

DATE: 3/7/08



Jimmie Lewis  
SB# 506622  
DEL. CORR. CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977

1.) ON 5/17/07 DR. CAVANNAUGH THE PSYCHIATRIST AT THE DEL. CORR. CENTER PETITIONED TO THE DELAWARE SUPERIOR COURT IN AND FOR NEW CASTLE CO., TO HAVE THE PLAINTIFF JIMMIE LEWIS TRANSFERRED TO THE DEL. PSYCH CENTER FOR TREATMENT, SAID PETITION STATES THAT THE PLAINTIFF WAS TO CONTINUE RECEIVING TREATMENT UNIT A HEARING IS CONDUCTED, BY THE JUDGE WHOM ISSUED THE ORDER, JUDGE PEGGY L. ABLEMAN, DETERMINING THAT THE PLAINTIFF IS COMPETENT AND OR WILL ENOUGH TO BE RETURNED TO THE DEL. CORR. CENTER! SEE SUPERIOR COURT CRIMINAL DOCKET SHEET #122 ID NO, 0305016966, SEE ATTACHED

2.) ON DEC 14, 2008 WHILE RECEIVING TREATMENT FOR HIS PSYCHOLOGICAL DILEMMAS, THE PLAINTIFF WAS ASSAULTED BY TWO OFFICERS THAT DEFENDANT THOMAS CARROLL SENT TO THE DEL. PSYCH CENTER. IN ORDER TO TRANSFER THE PLAINTIFF BACK TO THE DEL. CORR. CENTER, BECAUSE THE PLAINTIFF HAS FILED CIVIL COMPLAINTS AGAINST NUMEROUS D.O.C, I.E., DEPT OF CORR, OFFICERS, I.E., JIMMIE LEWIS VS. THOMAS CARROLL, ET AL, 06-778(GMS), AND THE DEFENDANT ARE AWARE THAT THE PLAINTIFF COMPLETED HIS LEVEL 5 SENTENCE ON 12/9/07, BUT HAVE ACTED IN THE AFOREMENTIONED MANNER ALONG WITH MISINTERPRETING THAT THE PLAINTIFF SHOULD HAVE BEGUN HIS 6 MONTH LEVEL 4 ON OR ABOUT 12/10/07 FOLLOWED BY 6 MONTHS LEVEL 3, BECAUSE THEY, THE DEFENDANTS INTEND TO DO ME IRREPARABLE HARM.

SAID TRANSFER WAS AGAINST MY WILL.  
CONT # 2.)

1<sup>ST</sup>, 14<sup>TH</sup> AND  
8<sup>TH</sup> U.S.C.A RIGHT VIOLATION  
ASSAULT AND BATTERY, KIDNAPPING

3.) BEFORE BEING TRANSFERRED TO THE DEL. PSYCH CENTER ON 6/6/07, THE DEFENDANTS REPORTED AN AFFIDAVIT TO THE COURT STATING I WAS ON THE WAITING LIST TO BE PLACED ON THE PROTECTIVE CUSTODY UNIT, SHU 18 B UNIT, BUT AS OF TO DATE THE PLAINTIFF HAS NOT BEEN PLACED ON THE PROTECTIVE CUSTODY UNIT? BUT INMATES SUCH AS EVIN? WHO SIGNED ONTO PROTECTIVE CUSTODY FEB - MARCH 2008 HAS ~~WAS~~ BEEN PLACED ONTO SHU 18 B UNIT?

4.) SINCE MY RETURN TO DEL. CORR. CENTER I HAVE BEEN DENIED MENTAL HEALTH INTERVENTION WHEN ON 2/26/08 I REQUESTED TO BE PLACED ON THE PROTECTIVE CUSTODY UNIT, DUE TO HAVING AN ANXIETY RELATED PANIC ATTACK BECAUSE MY SAFETY WAS AND OR IS IN JEOPARDY ON THE REGULAR S. H.U., SECURITY HOUSING UNITS. UPON REQUESTING MENTAL HEALTH INTERVENTION AND ~~WANTED~~ PROTECTIVE CUSTODY AT 10:00 PM THE PLAINTIFF WAS SHACKLED AND HANDCUFFED FOR TWELVE HOURS IN THE SHU D UNIT CONFERENCE ROOM, PLACED ON LEVEL ONE PSYCH CLOSE OBSERVATION BY CAPT BURTON. BUT THAT MORNING OF 2/27/08 DR. A CANNOLLI AND CLINICIAN MR. GIBBS INSTRUCTED SECURITY TO PLACE ME BACK INTO THE CELL, -

NOTE: DR. A. CANNOLI DID THIS BECAUSE  
OF CIVIL COMPLAINT THE PLAINTIFF FILED AGAINST HIM.  
(CONT # 4.)

EVEN THOUGH ~~IN~~ THEY WERE INFORMED BY  
SECURITY THAT THE PLAINTIFF WAS DEEMED A  
HARMFUL THREAT TO HIMSELF AND OTHERS.

1ST & 8TH U.S.C.A RIGHT VIOLATION.

5.) HOURS AFTER BEING PLACED BACK IN TO  
SHU 17, AIT C ROOM, THE PLAINTIFF WAS  
ESCORTED TO BUILDING 20 SHU, WHERE  
MR. GIBB D.C.C. ~~FOR~~ MENTAL HEALTH CLINICIAN  
INSTRUCTED SECURITY TO TAKE ME TO  
ISOLATION SHU 18 C UNIT LOWER 5 CELL  
AND PLACED ME IN HANDCUFFS AND SHACKLES  
WITH BLACKBOX FOR 24 HOURS.

THIS CAUSED ME ATYPICAL AND SIGNIFICANT  
HARDSHIP, DUE TO THIS TREATMENT BEING  
CRUEL, TO LONG, BEING ADMINISTERED ON ME  
AND NOT OTHER INMATES IN THE FACILITY AT THE  
D.C.C. INFIRMARY OR ISOLATION UNIT.

INJURIES: MY WRIST SWOL' UP LIKE MITTENS,  
MY WRIST, NECK, BACK, ANKLES WERE  
SWOLN AND IN PAIN

8TH U.S.C.A RIGHT VIOLATION  
DELIBERATE INDIFFERENCE



- 6.) ON 3/6/08 SAM "PITBULL" HARRIS ENTERED THE SHU 18 C UNIT LOWER 6, THEREAFTER LT FORBES HANDED INMATE HARRIS WHAT APPEARED TO BE A KNIFE, AND OR A SHANK.
- 7.) ALSO; ON 3/6/08 A D.C.C. CORRECTIONAL OFFICER WAS PLACED INTO SHU 18 C LOWER 9 CELL.
- 8.) THE PLAINTIFF BELIEVES HIS SAFETY IS IN JEOPARDY BECAUSE OF THESE PERSONS, SEE #'S 6 AND 7. THE PLAINTIFF IS THE KEY AND PRINCIPAL WITNESS IN ACTION NO. 04-1350 GMS, 05-013 GMS, AND 06-778 (GMS), AGAINST SEVERAL STATE EMPLOYEES AND IS A HIGH PROFILE INMATE. THE PLAINTIFF'S SAFETY IS ESSENTIAL WITH THE PROSECUTION OF SAID CIVIL ACTIONS "TOTALING MORE THAN 70" DEFENDANT. DUE TO THE MAGNITUDE OF THE PLAINTIFF'S CIVIL ACTION AGAINST STATE EMPLOYEES, HIS SAFETY IS AT RISK. 8TH & 1ST U.S. CONSTITUTIONAL VIOLATION.
- 9.) THE PLAINTIFF HAS PRESENTED PLEADINGS, DISCOVERY DOCUMENTS THAT VALIDATE MATERIAL FACT FOR TRIAL. AND THE DEFENDANTS KNOW THIS, AND THEIR ACTIONS PRESENTED HEREIN AS WELL AS WHAT IS STATED IN THE CIVIL ACTIONS PROVE THAT THE DEFENDANTS HAVE LITTLE OR NO REGARD FOR THE PLAINTIFF'S CONSTITUTIONAL RIGHTS, SEE # 8.
- 10.) THE PLAINTIFF TOLD LT. FORBES THAT HE BELIEVED SAID INMATES AND OR PERSONS POSED A THREAT TO HIS PHYSICAL SAFETY, SEE PARAGRAPHS #'S 6 AND 7

• RELIEF SOUGHT:

FOR AN ORDER FOR THE DEFENDANT(S)  
TO SHOW CAUSE

FOR A PRELIMINARY INJUNCTION OF:  
BEING TRANSFERRED BACK TO THE  
DEL. PSYCH CENTER UNTIL JUDGE  
PEGGY L. ABLEMAN CONDUCTS A HEARING AS  
IS NOTED IN DR. CAVANNAUGH'S 5/17/07  
MOTION TO HAVE THE PLAINTIFF COMMITTED  
~~THE~~ FOR TREATMENT, IMMEDIATELY!

TO BE PLACED ON THE FEDERAL WITNESS  
PROTECTION PROGRAM, IMMEDIATELY.

TO BE RELEASED TO HIS NEXT LEVEL OF  
COMMITMENT LEVEL 3 PROBATION  
TOLLING THE PLAINTIFFS TIME SINCE 12/9/07,  
EVERY DAY AT LEVEL 5 IS TWO DAYS AT  
LEVEL 4, IMMEDIATELY. TOLLING TO DATE RECEIVED.

INTERSTATE TRANSFER TO NEW JERSEY  
OR NORTH CAROLINA, IMMEDIATELY.

A TEMPORARY RESTRAINING ORDER  
AGAINST SAID PERSON NAMED HEREIN,  
AS WELL AS THE DEL. CORR. CENTER'S STAFF

FOR CLARIFICATION THAT THE 1 YEAR LEVEL 5  
AND 1 YEAR LEVEL 4, IS IN TURN SUSPENDED  
FOR 6 MONTHS LEVEL 4 AND 6 MONTHS LEVEL 3.  
AND AFTER 3/9/08 PLAINTIFFS INCARCERATION AT LEVEL 5 IS ILLEGAL.

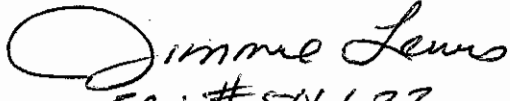
## CERTIFICATE OF SERVICE

I, THE UNDERSIGNED PLAINTIFF JIMMIE LEWIS  
DO HEREBY CERTIFY ON THIS 7<sup>TH</sup>, DAY OF MARCH,  
2008, THAT I DID MAIL ONE TRUE AND CORRECT  
COPY OF THE AMENDED MOTION FOR PRELIMINARY  
INJUNCTION #2, BY U.S. POSTAL, TO EACH  
OF THE FOLLOWING:

CLERK OF THE COURT  
U.S. DISTRICT COURT  
844 N. KING ST, LOCKBOX 18  
WILMINGTON, DE 19801

DEPUTY ATTORNEY GENERAL  
ANN TROSS ESQ  
820 N. FRENCH ST, 7TH FL  
WILMINGTON, DE 19801

DATE: 3/7/08

  
SBI #506622  
DEL. CORR CENTER  
1181 PADDOCK RD  
SMYRNA, DE 19977

DCC Delaware Correctional Center  
Smyrna Landing Road  
SMYRNA DE, 19977  
Phone No. 302-653-9261

Date: 02/27/2008

CL 5

**GRIEVANCE REPORT****OFFENDER GRIEVANCE INFORMATION**

Offender Name : LEWIS, JIMMY	SBI# : 00506622	Institution : DCC
Grievance # : 150943	Grievance Date : 02/02/2008	Category : Individual
Status : Non Grievable	Resolution Status :	Resol. Date :
Grievance Type: Staff Issues	Incident Date : 02/02/2008	Incident Time :
IGC : Dutton, Matthew	Housing Location : Bldg 17, Lower Tier A, Cell 17-01	

**OFFENDER GRIEVANCE DETAILS**

**Description of Complaint:** Inmate Claims: Upon being transferred back to the Dept of correction, Del Correctional center Correctional officers Morris and Dr Jailliffe used excessive force upon me by placing me in a headlock that prevented me from breathing. Shackled and handcuffed me, then proceeded to yank the shackles and handcuffs causing my wrist and ankles to swell and bruise. There wasn't any disciplinary report to support said officers actions.

**Remedy Requested :** For this matter to be investigated for abuse, neglect, mistreatment in violation the grievant U.S.C.A right as well as DOC standard operational procedures established under the color of the law.

**INDIVIDUALS INVOLVED**

Type	SBI #	Name
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**ADDITIONAL GRIEVANCE INFORMATION**

Medical Grievance : NO	Date Received by Medical Unit :
Investigation Sent :	Investigation Sent To : Hawkins, Karen D
Grievance Amount :	





DCC Delaware Correctional Center  
 Smyrna Landing Road  
 SMYRNA DE, 19977  
 Phone No. 302-653-9261

Date: 02/27/2008

## INFORMAL RESOLUTION

### OFFENDER GRIEVANCE INFORMATION

Offender Name : LEWIS, JIMMY	SBI# : 00506622	Institution : DCC
Grievance # : 150943	Grievance Date : 02/02/2008	Category : Individual
Status : Non Grievable	Resolution Status:	Inmate Status :
Grievance Type: Staff Issues	Incident Date : 02/02/2008	Incident Time :
IGC : Dutton, Matthew	Housing Location : Bldg 17, Lower, Tier A, Cell H, Single	

Investigator Name : Satterfield, James P

02/19/2008

Investigation Report : continued from first part of the investigation dated 2/14/2008

I then called Court and trans and spoke John Pennington who said that he would contact the officers he believed were working that day and he would send me an E-Mail once he had talked to the officers. The E-Mail reads Jim;

I spoke with Cpl Ike Dorris and he advised me that no 404 was done because when Jimmy Lewis refused to leave DPC, he and Cpl. Jelliffe grabbed I/m Lewis arms, started him towards the exit and I/M Lewis then told them he would go under his own power. There was no resistance and since no force was used, no reports were written. John Pennington.

The above statements and the before statements from medical shows that inmate Jimmy Lewis was not injured when being transported back to DCC from DPC.  
 Inmate Lewis will not sign off on the grievance.

Reason for Referring:

Offender's Signature: \_\_\_\_\_

Date : \_\_\_\_\_

Witness (Officer) : \_\_\_\_\_

DCC Delaware Correctional Center  
Smyrna Landing Road  
SMYRNA DE, 19977  
Phone No. 302-653-9261

Date: 02/27/2008

**GRIEVANCE INFORMATION - IGC****OFFENDER GRIEVANCE INFORMATION**

Offender Name : LEWIS, JIMMY	SBI# : 00506622	Institution : DCC
Grievance # : 150943	Grievance Date : 02/02/2008	Category : Individual
Status : Non Grievable	Resolution Status :	Inmate Status :
Grievance Type: Staff Issues	Incident Date : 02/02/2008	Incident Time :
IGC : Dutton, Matthew	Housing Location : Bldg 17, Lower, Tier A, Cell H, Single	

IGC

Medical Provider:

Date Assigned

**Comments:**

This grievance returned because: Investigation does not support allegation.

☐ Forward to MGC☐ Forward to Medical Provider☐ Warden Notified☐ Forward to RGC

Date Forwarded to MGC :

☐ Offender Signature Captured

Date Offender Signed :



SUPERIOR COURT CRIMINAL DOCKET  
( as of 02/21/2008 )

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State of Delaware v. JIMMY LEWIS  
 State's Atty: BRIAN J ROBERTSON , Esq.  
 Defense Atty: JOHN S EDINGER , Esq.

DOB: 12/25/1966  
 AKA: EMMANUEL E ELDER  
 EMMANUEL E ELDER

No.	Event Date	Event	Judge
		ORDER AND MOTION FOR PSYCHIATRIC/PSYCHOLOGICAL EVALUATION FILED. DEFENDANT SHALL UNDERGO A PSYCHIATRIC/PSYCHOLOGICAL EVALUATION BY STAFF AT: DELAWARE PSYCHIATRIC CENTER REASON:TREATMENT PER DR.CAVANAUGH'S LETTER OF 05/17/07 EVALUATION SHALL BE SUBMITTED TO COURT NO LATER THAN: (DEADLINE DATE) EVALUATION SHALL BE SUBMITTED TO: JUDGE ABLEMAN MASTER SHALL FORWARD EVALUATION TO COUNSEL; COUNSEL SHALL NOTIFY THE COURT WITHIN 10 DAYS WHETHER A COMPETENCY HEARING IS REQUIRED. IF NO NOTIFICATION, COURT WILL ASSUME HEARING IS UNNECESSARY, AND CASE WILL BE SCHEDULED AS APPROPRIATE. IF COUNSEL NOTIFIES COURT THAT A COMPETENCY HEARING IS REQUIRED, PROTHONOTARY SHALL CONSULT WITH COUNSEL AND SCHEDULE HEARING. THE CRIMINAL ASSIGNMENT JUDGE SHALL ASSIGN THE HEARING TO ANY JUDGE AVAILABLE.	
	05/24/2007	RECORDS SENT TO SUPREME COURT.	
	233, 2007		
123	06/01/2007	RECEIPT FROM SUPREME COURT ACKNOWLEDGING RECORD.	
	233, 2007		
124	06/27/2007	LETTER FROM JOHN EDINGER, ESQ TO JUDGE JURDEN. ENCLOSED PLEASE FIND MY REQUESTED RESPONSE TO THE ABOVE-CAPTIONED CASE.	
125	06/27/2007	AFFIDAVIT RESPONDING TO ALLEGATION OF INEFFECTIVE ASSISTANCE OF COUNSEL FILED. FILED BY JOHN EDINGER, ESQ REFERRED TO JUDGE JURDEN	
126	10/23/2007	LETTER FROM: JOSEPH C. SCHOELL TO: JUDGE ABLEMAN RE: LETTER WRITTEN ON BEHALF OF THE DELAWARE PSYCHIATRIC CENTER (DPC) CONCERNING JIMMIE LEWIS. 5/17/07 THE COURT ORDERED MR.LEWIS TRANSFERRED TO DPC FOR EVALUATION AND TREATMENT. CLINICAL STAFF SUBSEQUENTLY EVALUATED MR. LEWIS AND DEEMED HIM INAPPROPRIATE FOR TREATMENT THERE, AS INDICATED IN THE ENCLOSED FORENSIC PSYCHIATRIC EVALUATION. PRIOR TO COMPLETEION OF THE EVALUATION, COMM. REYNOLDS DETERMINED THAT THERE WAS INSUFFICIENT PROBABLE CAUSE TO INVOLUNTARY TREAT MR. LEWIS UNDER 16DEL.C.CH.50. DPC. REQUESTS TIME FOR ARGUMENT ON A MOTION TO MODIFY THE COURT'S EARLIER ORDER AND DIRECT MR. LEWIS'S TRANSFER BACK TO DEPARTMENT OF CORRECTION, OR ALTERNATIVELY, IF IT IS THE COURT'S PREFERENCE, SCHEDULE A TIME FOR A HEARING AT WHICH DPC CAN PRESENT TESTIMONY FROM A PSYCHIATRIST WHO HAS EVALUATED MR. LEWIS.	

SUPERIOR COURT CRIMINAL DOCKET  
( as of 02/21/2008 )

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State of Delaware v. JIMMY LEWIS DOB: 12/25/1966  
 State's Atty: BRIAN J ROBERTSON , Esq. AKA: EMMANUEL E ELDER  
 Defense Atty: JOHN S EDINGER , Esq. EMMANUEL E ELDER

No.	Event Date	Event	Judge
		*COMPLETE LETTER IN FILE	
127	11/20/2007	MOTION FOR SENTENCE CLEARIFICATION AND MODIFICATION OF SENTENCE FILED PRO-SE. REFERRED TO PRESENTENCE 12/03/07 FOR JUDGE ABLEMAN. FILE TRACKER INDICATES THAT THE JUDGE REQUESTED FILE 10/25/07.	
128	12/05/2007	MANDATE FILED FROM SUPREME COURT: SUPERIOR COURT JUDGMENT AFFIRMED. SUPREME COURT CASE NO: 233, 2007 SUBMITTED: SEPTEMBER 28, 2007 DECIDE: NOVEMBER 15, 2007 DEFORE BERGER, JACOBS AND RIDGELY, JUSTICES	
129	12/05/2007	ORDER: MOTION FOR MODIFICATION OF SENTENCE AND FOR SENTENCE CLARIFICATION IS DENIED. THE MOTION WAS FILED MORE THAN 90 DAYS AFTER IMPOSITION OF THE SENTENCE AND IS, THEREFORE, TIME-BARRED. PURSUANT TO SUPERIOR COURT CRIMINAL RULE 35(B), THE COURT WILL NOT CONSIDER REPETITIVE REQUESTS FOR REDUCTION OR MODIFICATION OF SENTENCE THE SENTENCE IS APPROPRIATE FOR ALL THE REASONS STATED AT THE TIME OF SENTENCING. THE MOTION FOR CLARIFICATION IS ALSO DENIED.	ABLEMAN PEGGY L.
130	12/18/2007	PETITION FOR A WRIT OF HABEAS CORPUS FILED (PRO SE) REFERRED TO JUDGE ABLEMAN DATE REFERRED: 12/19/2007 CIVIL CASE NO: 07M-12-053 PLA	
131	12/20/2007	ORDER: WRIT OF HABEAS CORPUS PETITION 07M-12-053 PLA: DENIED IT IS SO ORDERED. PLA	ABLEMAN PEGGY L.
132	02/14/2008	MOTION TO COMPEL THE DOC. TO TRANSFER DEFENDANT TO NEXT LEVEL OF PROBATION. REFERED TO JUDGE ABLEMAN.	
133	02/20/2008	LETTER/ORDER ISSUED BY JUDGE: ABLEMAN. THE PETITION FOR ORDER TO COMPEL THE DEPT. OF CORR., I.E. DEL.CORR CENTER TO TRANSFER PETITIONER TO THE NEXT LEVEL OF HIS COMMITMENT, I.E., LEVEL (4) PLUMMER CENTER IS DENIED. THE COURT CAN NOT DIRECT THE DEPT OF CORRECTION TO MAKE A BED AVAILABLE IF ONE IS NOTL THAT IS PRECISELY WHY THE COURT ORDER SPECIFIES THAT THE DEFENDANT IS TO HOLD AT LEVEL V UNTIL SPACE IS AVAILABLE AT LEVEL IV. THERE ARE OTHER DEFENDANT'S IN THE SAME	ABLEMAN PEGGY L.



SUPERIOR COURT CRIMINAL DOCKET  
( as of 02/21/2008 )

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State of Delaware v. JIMMY LEWIS DOB: 12/25/1966  
State's Atty: BRIAN J ROBERTSON , Esq. AKA: EMMANUEL E ELDER  
Defense Atty: JOHN S EDINGER , Esq. EMMANUEL E ELDER

No.	Event Date	Event	Judge
-----			
		SITUATION AND THE COURT CANNOT SINGLE OUT SPECIAL TREATMENT FOR YOU SIMPLY BECAUSE YOU HAVE WRITTEN TO COMPLAIN.	

\*\*\* END OF DOCKET LISTING AS OF 02/21/2008 \*\*\*  
PRINTED BY: CSCKWAL

SUPERIOR COURT  
OF THE  
STATE OF DELAWARE

PEGGY L. ABLEMAN  
JUDGE

NEW CASTLE COUNTY COURTHOUSE  
500 NORTH KING STREET, SUITE 10400  
WILMINGTON, DELAWARE 19801-3733  
TELEPHONE (302) 255-0660

February 20, 2008

Mr. Jimmie Lewis  
SBI# 506622  
Delaware Correctional Center  
1181 Paddock Road  
Smyrna, DE 19977

RE: State v. Lewis  
I.D. No. 0305016966

Dear Mr. Lewis:

The "Petition for Order to Compel the Dept of Corr., i.e. Del. Corr Center, to Transfer Petitioner to the Next Level of his Commitment, i.e., Level (4) Plummer Center" is denied. The Court cannot direct the Department of Corrections to make a bed available if one is not. That is precisely why the Court Order specifies that defendant is to "hold at Level V until space is available at Level IV." There are other defendants in the same situation and the Court cannot single out special treatment for you simply because you have written to complain.

Yours very truly,



Peggy L. Ableman

PLA:jmd  
cc: Prothonotary

## Offender Status Sheet

Date: 02/28/2008

SB# #: 00506622 Name: JIMMY LEWIS Sex: M  
 Location(s): DCC Level(s): 5.0 Race: BLACK DOB: 12/25/1966 Sex Offender: ☐  
 AKA: EMMANUEL E ELDER  
 Offender Type: Sentenced Officer(s):

Level: 5												
Start Date: 05/26/2003			MED:05/24/2009		STRD: 11/01/2008		ADJ: 11/01/2008		PED:		Statutory Days Earned: 204.00	
CASE#/ Court/ Type	CRA#/ Judge	Charge Desc/ Sen. Type/ Sentence Date		Status/ Eff. Date	Length			Start Dt	MED	STRD	Adj Date	CR Wk
					Y	M	D					
0305016966	IN03060175	CARJACKING 2ND		Current	5	0	0	05/26/2003	05/25/2008	12/09/2007	12/09/2007	
U7	Peggy L Ableman	STANDARD	02/11/2005	05/26/2003								
0305016966	IN03060176	THEFT \$1000 OR>		Current	1	0	0	05/25/2008	05/24/2009	11/01/2008	11/01/2008	
U7	Peggy L Ableman	STANDARD	02/11/2005	05/26/2003								

## Special Conditions:

CRA#	Level	Code	Condition Description	Condition Comments
IN03060175	5	CRT1	Other Conditions:	TO SERVE 5 YEARS LEVEL 5. AC
IN03060176	5	CRT1	Other Conditions:	TO SERVE 2 YEARS LEVEL 5, SUSPENDED AFTER 1 YEAR FOR 1 YEAR LEVEL 4 PLUMMER CENTER, SUSPENDED AFTER 6 MONTHS FOR 6 MONTHS PROBATION LEVEL 3. AC

*You are currently serving your 1yr at level 5 for theft which will  
max out on 11/1 - 2008.*

*This notation is from Cindy Wright of the records  
Dept D.C.C.*

IN THE SUPERIOR COURT OF THE STATE OF DELAWARE  
IN AND FOR NEW CASTLE COUNTY

STATE OF DELAWARE

VS.

JIMMY LEWIS

Alias: No Aliases

DOB: 12/25/1966

SBI: 00506622

CASE NUMBER:

0305016966

CRIMINAL ACTION NUMBER:

IN03-06-0175

CARJACKING 2ND(F)

IN03-06-0176

THEFT \$1000 OR>(F)

IN03-06-0177

RESIST ARREST(M)

SENTENCE ORDER

NOW THIS 11TH DAY OF FEBRUARY, 2005, IT IS THE ORDER OF  
THE COURT THAT:

The defendant is adjudged guilty of the offense(s) charged.  
The defendant is to pay the costs of prosecution and all  
statutory surcharges.

AS TO IN03-06-0175- : TIS  
CARJACKING 2ND

Effective May 26, 2003 the defendant is sentenced  
as follows:

- The defendant is placed in the custody of the Department  
of Correction for 5 year(s) at supervision level 5

Probation is concurrent to any probation now serving.

AS TO IN03-06-0176- : TIS  
THEFT \$1000 OR>

- The defendant is placed in the custody of the Department  
of Correction for 2 year(s) at supervision level 5

- Suspended after serving 1 year(s) at supervision level 5

\*\*APPROVED ORDER\*\*

1

November 19, 2007 14:11

STATE OF DELAWARE  
VS.  
JIMMY LEWIS  
DOB: 12/25/1966  
SBI: 00506622

- For 1 year(s) supervision level 4 PLUMMER CENTER
- Suspended after serving 6 month(s) at supervision level 4 PLUMMER CENTER
- For 6 month(s) supervision level 3
- Hold at supervision level 5
- Until space is available at supervision level 4 PLUMMER CENTER

Probation is concurrent to any probation now serving.

AS TO IN03-06-0177- : TIS  
RESIST ARREST

- The defendant is placed in the custody of the Department of Correction for 1 year(s) at supervision level 5
- Suspended for 1 year(s) at supervision level 2

Probation is concurrent to any probation now serving.



SPECIAL CONDITIONS BY ORDER

STATE OF DELAWARE  
VS.  
JIMMY LEWIS  
DOB: 12/25/1966  
SBI: 00506622

CASE NUMBER:  
0305016966

The defendant shall pay any monetary assessments ordered during the period of probation pursuant to a schedule of payments which the probation officer will establish.

Have no contact with Patrick Geer

Defendant shall successfully complete anger management, counseling, treatment program.

The defendant shall undergo mental health evaluation and follow recommendation for counseling and treatment.

NOTES

Aggravating Circumstances - 2 or more violent felonies -  
Lack of Remorse

---

JUDGE PEGGY L ABLEMAN

FINANCIAL SUMMARY

STATE OF DELAWARE  
VS.  
JIMMY LEWIS  
DOB: 12/25/1966  
SBI: 00506622

CASE NUMBER:  
0305016966

SENTENCE CONTINUED:

TOTAL DRUG DIVERSION FEE ORDERED

TOTAL CIVIL PENALTY ORDERED

TOTAL DRUG REHAB. TREAT. ED. ORDERED

TOTAL EXTRADITION ORDERED

TOTAL FINE AMOUNT ORDERED

FORENSIC FINE ORDERED

RESTITUTION ORDERED

SHERIFF, NCCO ORDERED

SHERIFF, KENT ORDERED

SHERIFF, SUSSEX ORDERED

PUBLIC DEF, FEE ORDERED	50.00
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PROSECUTION FEE ORDERED	100.00
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VICTIM'S COM ORDERED

VIDEOPHONE FEE ORDERED	3.00
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TOTAL	153.00
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AGGRAVATING-MITIGATING

STATE OF DELAWARE  
VS.  
JIMMY LEWIS  
DOB: 12/25/1966  
SBI: 00506622

CASE NUMBER:  
0305016966

AGGRAVATING  
LACK OF REMORSE

[illegible]

DELAWARE CORRECTIONAL CENTER  
1181 PADDOCK ROAD  
SMYRNA, DELAWARE 19777



CLERK OF THE COURT (Gms)  
UNITED STATES DISTRICT COURT  
844 N. KING ST, LOCKBOX 18  
WILMINGTON, DELAWARE  
19801